



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB5560

by Rep. Robyn Gabel

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that in the event that a hospital is not a contracted provider with a Medicaid managed care payor, and an enrollee of that Medicaid managed care payor requires care at that non-contracted facility, the Medicaid managed care payor shall be required to pay the non-contracted facility no less than the equivalent of what the State payment rate would be for the same non-elective services, including all policy adjustments and outlier payments. Provides that hospital triage services required under the federal Emergency Medical Treatment and Labor Act for enrollees presenting in the emergency room shall be considered a non-elective service as the provider is required by law to provide such services; and that the Medicaid managed care payor shall not be required to pay a State equivalent rate for any service deemed elective but may instead negotiate an agreement for such elective services with the non-contracted provider or redirect the enrollee within its contracted provider network. Effective immediately.

LRB098 20210 KTG 55555 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by  
5 adding Section 5-30a as follows:

6 (305 ILCS 5/5-30a new)

7 Sec. 5-30a. Payments by Managed Care Organizations for  
8 out-of-network contractors. In the event that a hospital is  
9 not a contracted provider with a Medicaid managed care payor,  
10 and an enrollee of that Medicaid managed care payor requires  
11 care at that non-contracted facility, the Medicaid managed care  
12 payor shall be required to pay the non-contracted facility no  
13 less than the equivalent of what the State payment rate would  
14 be for the same non-elective services, including all policy  
15 adjustments and outlier payments. Hospital triage services  
16 required under the federal Emergency Medical Treatment and  
17 Labor Act for enrollees presenting in the emergency room shall  
18 be considered a non-elective service as the provider is  
19 required by law to provide such services. The Medicaid managed  
20 care payor shall not be required to pay a State equivalent rate  
21 for any service deemed elective but may instead negotiate an  
22 agreement for such elective services with the non-contracted  
23 provider or redirect the enrollee within its contracted

1 provider network.

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.

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Statutes amended in order of appearance

3

305 ILCS 5/5-30a new